

Senator Hudson gave notice that he would on the next Legislative Day move to suspend the necessary rules to take up for consideration H. B. No. 558.

Recess

On motion of Senator Moffett the Senate at 5:54 o'clock a.m. took recess until 2:30 o'clock p.m. on Wednesday, May 15, 1957.

SIXTY-SEVENTH DAY

(Continued)

(Wednesday, May 15, 1957)

After Recess

The Senate met at 2:30 o'clock p.m., and was called to order by the President.

Leave of Absence

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Smith.

House Concurrent Resolution 52 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 52, Requesting the Texas Legislative Council to make a study concerning all physically handicapped persons in Texas, both children and adults, as to the number of such persons, treatment facilities available, and possibilities for their vocational training or rehabilitation.

The resolution was read.

On motion of Senator Weinert and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 92

Senator Phillips by unanimous consent offered the following resolution:

S. C. R. No. 92, Judicial review of administrative decisions of the Secretary of Labor of the United States under Title III of the Social Security Act and the Federal Unemployment Tax Act.

Whereas, The Secretary of Labor

of the United States is empowered under existing federal law to make administrative findings and render administrative decisions which can have the effect of denying to the unemployment taxpayers of a State their tax off-set credit against the Federal Unemployment Tax and the further effect of shutting off the administrative funds granted to a State for the operation of its unemployment system and its employment offices; and

Whereas, Such adverse finding with respect to a State's conformity with federal standards and compliance therewith could cost 68,000 Texas taxpayers a total of nearly \$100,000,000 a year, and could disrupt the administration of the State's Unemployment Compensation Act to the detriment of hundreds of thousands of workers; and

Whereas, There is no provision for judicial review of these vitally important decisions of the Secretary of Labor even though he himself announced in the press as early as August of 1955 his opinion that an administrative official should not have authority to make such vital decisions as he makes unless those decisions are subject to review by the courts, and even though last year he secured introduction in the Congress of legislation to provide limited judicial review of his decisions, which legislation never reached the committee-hearing stage; and

Whereas, The States of the United States, through their Interstate Conference of Employment Security Agencies, have, for many long years, sought and unanimously urged passage of federal legislation designed to afford judicial review of these conformity and compliance decisions of the Secretary of Labor, and have secured the introduction in the Senate of the United States of S. 1629, a bill which would provide such judicial review; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Fifty-fifth Legislature of Texas endorse the principles of judicial review embodied in S. 1629 now pending in the Congress of the United States, and urge that Congress speedily enact legislation providing for such judicial review; and be it further

Resolved, That copies of this Resolution be sent to the President of the

United States, the Secretary of Labor of the United States, Senator Lyndon B. Johnson, Senator Ralph W. Yarborough, Speaker Sam Rayburn, all Texas Congressmen, Senator William F. Knowland, and the President of the Interstate Conference of Employment Security Agencies.

The resolution was read.

On motion of Senator Phillips and by unanimous consent the resolution was considered immediately and was adopted.

Reports of Standing Committees

Senator Weinert by unanimous consent submitted the following reports:

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 95, have had the same under consideration. and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 29, have had the same under consideration. and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 317, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Remarks of Senator Hardeman Ordered Printed in Journal

On motion of Senator Owen and by unanimous consent Senator Hardeman was requested to reduce his remarks on his Personal Privilege speech to writing and that the remarks be printed in the Journal.

Senate Resolution 556

Senator Hudson by unanimous consent offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Miss Margaret Eleanor Shaffer and Miss Dolly Marek; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate and the privileges of the floor for the afternoon.

The resolution was read and was adopted.

Senator Hudson by unanimous consent presented the guests to the Members of the Senate.

Motion to Place House Bill 558 on Second Reading

Senator Hudson asked unanimous consent to suspend the regular order of business and take up H. B. No. 558 for consideration at this time.

There was objection.

Senator Hudson then moved to suspend the regular order of business and take up H. B. No. 558 for consideration at this time.

The motion was lost by the following vote:

Yeas—12

Aikin	Phillips
Bracewell	Reagan
Fuller	Rogers
Hudson	Secrest
Moore	Smith
Owen	Willis

Nays—14

Ashley	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood

Kazen	Moffett
Krueger	Ratliff
Lane	Weinert
Lock	Wood

Absent

Fly	Parkhouse
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Absent—Excused

Herring	Roberts
Martin	

Motion to Place House Bill 229 on Third Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business and take up H. B. No. 229 for consideration at this time.

There was objection.

Senator Bracewell then moved to suspend the regular order of business and take up H. B. No. 229 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—15

Aikin	Parkhouse
Bracewell	Phillips
Bradshaw	Ratliff
Colson	Rogers
Gonzalez	Secrest
Hazlewood	Smith
Lock	Willis
Moffett	

Nays—12

Ashley	Lane
Fuller	Moore
Hardeman	Owen
Hudson	Reagan
Kazen	Weinert
Krueger	Wood

Absent

Fly

Absent—Excused

Herring	Roberts
Martin	

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 289 by vote of 92 ayes, 22 noes and 2 present not voting.

The House has concurred in Senate amendments to H. C. R. No. 73 by vote of 99 ayes, 1 no.

H. B. No. 59, A bill to be entitled "An Act authorizing counties to furnish building space for establishing branch crime detection laboratories by the State Department of Public Safety; directing the Department of Public Safety to establish a branch laboratory in El Paso County, Texas, on stated conditions, and making appropriations for equipping and operating the laboratory; and declaring an emergency."

H. B. No. 512, A bill to be entitled "An Act enabling the Game and Fish Commission to sell or exchange sections or parcels of land in Brewster, Culberson and Hudspeth Counties; limiting the amount and quality of land that may be sold or exchanged; prescribing the manner of exchange; providing for a minimum price that may be accepted in case of sale; providing for disposition of monies received as a result of land sales; and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act to amend Section 9 of Chapter 177, Acts of the 42nd Legislature, Regular Session, 1931, as amended by Section 3, of Chapter 249, Acts of the 52nd Legislature, Regular Session, 1951 (codified as Section 9 of Article 46a, Vernon's Texas Civil Statutes), relating to the status of adopted children for inheritance and other purposes; providing a severability clause; and declaring an emergency."

H. C. R. No. 111, Suspending Joint Rules.

The House refused to concur in Senate amendments to House Bill No. 10 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has adopted the Conference Committee Report on House Bill No. 169 by a vote of 134 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 903 by vote of 142 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 94 by vote of 127 ayes, 6 noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 222.

The House has appointed the following Conference Committee on H. B. No. 620: Ramsey, de la Garza, Pool, Moore of Harris, and Sadler.

S. B. No. 74, A bill to be entitled "An Act to amend Section 4 of Chapter 282, Acts, Regular Session 41st Legislature (1929), as amended by Section 1 of Chapter 174, Acts, Regular Session, 42nd Legislature (1931), as amended by Section 1 of Chapter 148, Acts, Regular Session, 45th Legislature (1937); and declaring an emergency."

S. B. No. 301, A bill to be entitled "An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including Home-Rule cities) or towns since the approval by the Governor of Texas of Chapter 164, Acts of the 52nd Legislature, Regular Session, 1951; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, Governmental Acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds for such purposes, of counties, cities (including Home-Rule cities and towns); providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, Governmental Acts, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of four hundred thousand (400,000) according to the last preceding Federal Census, or any contract, scrip warrant or time warrant or any refunding bond proceedings, Governmental Acts, orders, ordinances, resolutions or other instruments, or bonds the validity of which is now involved in litigation; providing a saving clause; and declaring an emergency."

S. B. No. 463, A bill to be entitled "An Act to amend Chapter 518, Acts of the 54th Legislature, 1955, by adding a league of land to the area of the District in Trinity County, finding a benefit, and declaring an emergency."

S. B. No. 425, A bill to be entitled "An Act amending Article 4551, Vernon's Texas Civil Statutes, as amended, same being Acts 1919, page 50; Acts 1935, 44th Legislature, Regular Session, Chapter 244, page 606, Section 9, pertaining to per diem for members of the State Board of Dental Examiners; providing for a severance clause; repealing all laws or portions of laws in conflict herewith, and declaring an emergency."

(With amendments.)

S. B. No. 466, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59 of the Constitution, comprising territory within the city of Jefferson, Marion County, Texas, to be known as the 'Jefferson Water and Sewer District,' for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and transporting the same and for the purpose of providing or acquiring storm sewers and a sanitary sewer system; providing for a board of directors to govern said district; etc., and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 221 by vote of 137 ayes, 0 noes.

Motion to reconsider the vote by which the House concurred passed viva voce vote.

H. B. No. 730, A bill to be entitled "An Act authorizing the Governor to transfer certain funds and declaring an emergency."

H. B. No. 755, A bill to be entitled "An Act amending Chapter 88, Page 172, of the Acts of the 41st Legislature, Second Called Session, 1929, as amended, to provide for registration of automobiles manufactured prior to 1921; providing for method of application for such registration; fixing amount of fee for such registration; providing for license plates; defining an offense and prescribing a

penalty; and declaring an emergency."

H. B. No. 756, A bill to be entitled "An Act amending Chapter 78, House Bill No. 64, Acts Fifty-First Legislature, Regular Session, 1949, (codified as Article 2615d, Vernon's Civil Statutes), increasing the amount of funds that the Board of Directors of the Agricultural and Mechanical College of Texas is authorized to expend from available plant funds for buildings and improvements at the adjunct of the College in Kimble County without specific authorization of the Legislature; and declaring an emergency."

H. B. No. 790, A bill to be entitled "An Act amending Chapter 352, Acts of the Regular Session of the 50th Legislature, (as heretofore amended), pertaining to the Employees Retirement System of Texas; prescribing the conditions upon which this Act shall become effective as a law; declaring the Act to be severable; and declaring an emergency."

H. B. No. 858, A bill to be entitled "An Act changing the name of East Texas State Teachers College to East Texas State College; fixing an effective date; and declaring an emergency."

H. B. No. 859, A bill to be entitled "An Act relating to special venires in certain counties using the jury wheel; amending Article 591, Vernon's Revised Code of Criminal Procedure of the State of Texas, as amended Acts 1955, 54th Legislature, P. 572, Ch. 188, Paragraph 1; relating to drawing of names from the jury wheel, preparation and delivery of lists by the Clerk, the distribution of cards containing the names of jurors providing for the return of cards to the jury wheel in certain cases, providing for certain exceptions and declaring an emergency."

H. B. No. 864, A bill to be entitled "An Act authorizing the Texas Board of Water Engineers to study the cause of natural pollution to the tributaries of the Red River and to study means to eliminate such pollution; and appropriating Fifty Thousand Dollars for such purpose and declaring an emergency."

H. B. No. 942, A bill to be entitled

"An Act authorizing and directing the Texas Prison Board, acting by the Chairman thereof, to execute and deliver to the State Highway Commission of Texas a right of way easement to certain lands in Walker County, Texas, for the construction and maintenance of U. S. Highway 75 By-Pass Loop extending along and across certain State properties known as the Wynne Prison Farm and the Goree Prison Farm; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 662 by division vote.

H. C. R. No. 107, Granting permission to the North Plains Telephone Company, Inc. to sue the State.

S. B. No. 45, A bill to be entitled "An Act making it a misdemeanor, punishable by fine, for any male minor between 14 and 17 years of age or any female minor between 14 and 18 years of age to drive or operate a motor vehicle while under the influence of intoxicating liquor or in such a way as to violate any traffic law of this State; defining the term 'any traffic law of this State'; prohibiting commitment of any such minor to jail in default of payment of fine, but authorizing suspension of his or her driver's license until the fine is paid; making it a misdemeanor for any such minor to operate a motor vehicle without a valid driver's license and providing the penalty therefor, and authorizing seizure and impoundment of any motor vehicle operated in violation of this provision; making other provisions relative to disposition of vehicles so seized or impounded; fixing jurisdiction of the offenses created hereunder and stating the effect of this Act on other laws; repealing Chapter 436, Acts of the 52nd Legislature, R. S. 1951, but providing for prosecution and punishment of offenses committed prior to repeal; providing a severability clause; and declaring an emergency."

(With amendment.)

S. B. No. 24, A bill to be entitled "An Act concerning the management, control, and disposition by a married woman of her separate property, both real and personal, including her right to contract and be contracted with and to sue and be sued; amending Articles 4614, 4616, 4623, 4617, 4618,

and 1984, Revised Civil Statutes, 1925, as amended; providing a savings clause; etc.; and declaring an emergency."

(With amendment.)

S. B. No. 53, A bill to be entitled "An Act amending Section 4, Article II, of Art. 6687b, Vernon's Annotated Civil Statutes, General Laws of 1941 47th Legislature, p. 245, Chapter 173; as amended by Acts of 1943, 48th Legislature, p. 469, Chapter 313, providing for the issuance of drivers' licenses to persons under the age of sixteen (16) years; repealing all laws in conflict therewith; and declaring an emergency."

S. B. No. 90, A bill to be entitled "An Act providing for county juvenile boards in each of the counties of Angelina, Cherokee and Nacogdoches; prescribing the membership and powers of each board and providing for compensation for the members of the boards; providing that this Act shall be cumulative of existing laws relating to compensation for judges of district courts and county judges; providing a savings clause; and declaring an emergency."

(With amendment.)

S. B. No. 116, A bill to be entitled "An Act authorizing the setting and collecting of a charge for the sale of publications and other printed matter produced by executive and administrative departments and agencies of the State, when deemed in the Public interest; providing for the deposit of such collected charges; prohibiting personal profit from such sales; and declaring an emergency."

S. B. No. 167, A bill to be entitled "An Act to amend Section 14 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 47a of Article 4477, Vernon's Texas Civil Statutes, to provide that the State Registrar, county clerk, or local registrar shall not issue a certified copy disclosing illegitimacy or otherwise disclose illegitimacy unless the issuance of the certified copy or the disclosure is authorized by order of the county court of the county in which the birth, death, or fetal death occurred; to provide that access to certain files based on legitimation, paternity determination, and adoption

shall not be authorized except upon order of a court of competent jurisdiction; and to provide for attaching to the original birth record an amendment based on a court order of change of name; and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act to amend Section 6 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 39a of Article 4477, Vernon's Texas Civil Statutes, so as to provide that a certificate of stillbirth shall be signed by the physician or midwife in attendance at the stillbirth; and declaring an emergency."

S. B. No. 221, A bill to be entitled "An Act amending Article 2922f, Chapter 19-a of the Revised Civil Statutes of Texas by providing for the discontinuance and abolition of an elementary school district and the annexation of the same with another elementary school district within a Rural High School District, under certain conditions, and the moving or other disposition of the buildings and other property of the district; providing for the consolidation of any elementary district with any other elementary district within a Rural High School District by following the procedure of Article 2806 and further providing that when all elementary districts within a Rural High School District shall cease to maintain elementary schools for a period of one year and shall transfer all pupils to one central elementary and high school maintained by the Board of Trustees of said Rural High School District, all such elementary school districts may consolidate by following the procedure of Article 2806 and thereby continue to function as a consolidated Rural High School District or change to an Independent School District; validating all annexations and consolidations under the previous act; authorizing the Board of Trustees of any consolidated district to dispose of all buildings and other property of any district thus consolidated when such is not necessary for the efficient administration of the schools of said district; stipulating the method of operating schools in said district; and declaring an emergency."

(With amendment.)

S. B. No. 319, A bill to be entitled "An Act amending the Texas Election Code by adding a new section designated as Section 220a, conferring upon district courts the jurisdiction to order recounts of votes and to hear and determine election contests relative to the party offices of precinct chairmen and county chairmen and providing procedures therefor."

S. B. No. 276, A bill to be entitled "An Act amending Section 3 of Chapter 428, Acts of the 51st Legislature, 1949, Regular Session, as amended, codified in Vernon's as Section 3 of Article 8309c, Vernon's Civil Statutes, so as to make the provisions of Article 8309c relating to Workmen's Compensation for county employees mandatory for counties having a population in excess of three hundred fifty thousand (350,000) inhabitants under certain conditions; providing a severability clause and declaring an emergency."

(With amendment.)

S. B. No. 341, A bill to be entitled "An Act granting to the City of Corpus Christi, Texas, certain land submerged and unsubmerged lying within an area known as Tract C as shown on a map entitled Sheet No. 1, Laguna Madre, Subdivision for Mineral Development, dated November 1, 1948, and revised September 1, 1951, by addition of 'Cayo Del Oso' subdivision, prepared by the General Land Office of the State of Texas; providing certain limitations, conditions and restrictions on the development of said land and on the transfer and conveyance thereof; modifying requirements heretofore imposed by the terms of House Bill 473, Chapter 294, General and Special Laws of Texas, Acts of the 54th Legislature, Revised Statutes 1955; providing that failure of the City of Corpus Christi or its grantees to comply with the conditions herein imposed shall cause title to said land to revert to the State of Texas; reserving all mineral interests to the State of Texas; declaring that the Act shall be cumulative of former grants and authorities; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 437, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect or maintain

any building, structure, memorial, monument, statue or concession or any other structure, including parking areas or additional paving on any of the grounds surrounding the State Capitol that were bounded by certain streets on January 1, 1955, with certain exceptions; providing a penalty; providing grounds for impeachment or for removal from office of certain officers and employees; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

(With amendments.)

S. B. No. 445, A bill to be entitled "An Act providing for the transfer of title to certain lands to the State Highway Commission consisting of a tract or parcel lying along and parallel to Harbor Island and adjacent to Corpus Christi Bay, now owned by the State of Texas containing 380.2 acres, more or less, of Islands, submerged land, and tidewater flats situated under the waters of Corpus Christi Bay, about Latitude 97°05' North and Longitude 27°52' West, as taken from U. S. C. & G. S. Chart No. 523, necessary for the building of State Highway No. 361, providing that this conveyance shall not interfere nor conflict with the rights of the State Game and Fish Commission, except that the State Highway Department shall have the right to take materials from said tract without compensation therefor; and declaring an emergency."

S. B. No. 456, A bill to be entitled "An Act authorizing the State Board of Education to acquire, purchase and contract for books published in Braille as are recommended suitable for use as textbooks for the education of the blind scholastics in the public school systems of Texas, pursuant to rules and regulations adopted by the State Board; providing for the administration and distribution of such books acquired under this Act or existing textbook laws; authorizing the State Board to enter agreements accepting books in Braille and instructional aids pursuant to Public Law 922, Eighty-fourth Congress; defining blindness for the purposes of this Act; providing that textbooks in Braille purchased and the costs of administration thereof pursuant to the authority of this Act shall be paid for out of the State Textbook Fund; and declaring an emergency."

S. B. No. 449, A bill to be entitled "An Act creating a water control and improvement district under Article XVI, Sections 59 of the Constitution of Texas, to be known as 'WILBARGER CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF BASTROP AND TRAVIS COUNTIES' comprising certain lands lying within the counties of Bastrop and Travis, Texas; prescribing its powers and duties including the powers necessary to fully cooperate with the Federal Government, its agencies and departments, under Public Law 566, 83rd Congress, Chapter 656, 2d Session, H. R. 6788, as amended by Public Law 1018, 84th Congress, Chapter 1027, 2d Session, H. R. 8750, including the power or authority to secure a federal loan or loans and enacting the applicable provisions of said public laws into this Act by reference; providing for a governing body thereof; finding and determining that the lands and other property within said District are, and will be, benefited by the District and its improvements, works and measures to be constructed and accomplished; providing that the ad valorem basis or plan of taxation shall be used by the District and that it shall not be necessary to hold a hearing on the adoption of a plan of taxation or for exclusions of land or other property; declaring that the District is essential to the accomplishment of the purposes of Section 59, Article XVI, Constitution of Texas, and declaring the District to be a governmental agency, body politic and corporate; authorizing the District to issue negotiable bonds for the payment of interest and principal thereof; providing that no loan from the Federal Government shall be consummated and no bonds shall be issued unless authorized by an election for such purposes; providing any such bonds to be incontestable after approval by the Attorney General and registration by the Comptroller of Public Accounts; providing that it shall not be necessary for plans and specifications, engineering reports, profiles, maps and other data to be filed in the office of the District before an election is held for the purpose of authorizing the issuance of bonds and that it shall not be necessary to secure approval of the State Board of Water Engineers prior to the issuance of bonds by the District;

providing a savings clause; and declaring an emergency."

(With amendments.)

S. B. No. 474, A bill to be entitled "An Act to authorize and empower the Commissioners Court of Harris County, Texas, the governing body of the Harris County Flood Control District, to provide for and administer a retirement, disability and death compensation fund for the appointive officers and employees of the District; providing for the investment, reinvestment and change of investment of such funds, authorizing the governing body of said District to adopt a plan or plans of effectuating the purpose of this Act, to provide rules and regulations governing all such compensation and from time to time change any such plan, rule or regulation; providing that the contribution of such fund by the District shall be from the operating and maintenance fund of said District; making the Act cumulative of all other laws on the subject; providing that unconstitutionality of any part of the Act shall not invalidate the remainder; and declaring an emergency."

S. B. No. 480, A bill to be entitled "An Act ratifying, confirming and validating the creation, establishment and boundaries of Fannin County Water Control and Improvement District No. 2, and the organization, confirmation election and election of directors for the District and all proceedings relating thereto; and declaring an emergency."

H. C. R. No. 110, Authorizing both Houses to take up and consider at any time, H. B. No. 907.

The House has concurred in Senate amendments to House Bill No. 835 by vote of 114 ayes, 1 noes.

The House has concurred in Senate amendments to House Bill No. 739 by vote of 115 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill and Resolution on on First Reading

The following bill and resolution received from the House were read and were referred to the Committee indicated:

H. J. R. No. 48, To the Committee on Counties, Cities and Towns.

H. B. No. 864, To the Committee on Water and Conservation.

House Bill 375 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 375, A bill to be entitled "An Act relating to gifts of securities and money to minors and to make uniform the law with reference thereto."

The bill was read second time and passed to third reading.

House Bill 375 on Third Reading

Senator Moore moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 375 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Fly Hudson

Absent—Excused

Herring Roberts
Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Fly

Absent—Excused

Herring Roberts
Martin

Bills and Resolution Signed

The president signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution.

S. B. No. 93, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to acquire by purchase in the name of the State of Texas, for the use and benefit of the Texas Forest Service, and to improve the same, a sufficient quantity of land suitable for the operation thereon of a forest tree seedling nursery in the reforestation program of the Texas Forest Service and for the production of other forest products; and declaring an emergency."

S. B. No. 126, A bill to be entitled "An Act declaring it to be illegal to divert waters released from storage and destined for downstream; to promulgate and enforce rules and orders to effectuate the provisions of this Act; providing for the manner of adopting such rules and orders; authorizing appeals from Board rules and orders; providing penalties for violations; providing a saving clause; and declaring an emergency."

S. C. R. No. 90, Enrolling Clerk to correct S. B. No. 313.

Message from the Governor

The following message received

from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
May 15, 1957.

To the Senate of the Fifty-Fifth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be a member of the Highway Commission, for a term to expire February 15, 1963: Charles F. Hawn of Athens, Henderson County.

To be chairman of the Highway Commission, for a term to expire February 15, 1959: Marshall Fromby of Plainview, Hale County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas

House Bill 448 on Second Reading

On motion of Senator Wood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 448, A bill to be entitled "An Act amending Article 5115, Revised Civil Statutes of 1925, requiring commissioners' courts to provide suitable jails in their respective counties; defining the term 'suitable jails'; providing that this act shall apply to all jails hereafter constructed and to existing jails two years from its effective date; providing for enforcement, penalty for failure to comply and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 448 on Third Reading

Senator Wood moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 448 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Bracewell
Ashley	Bradshaw

Colson	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood
Moore	

Absent

Fly

Absent—Excused

Herring	Roberts
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 481 on First Reading

Senator Owen moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Herring	Roberts
Martin	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Owen:

S. B. No. 481, A bill to be entitled "An Act establishing the Winkler County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; repealing conflicting laws; providing for severability; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 481, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be prined.

OWEN, Chairman.

Senate Bill 481 Ordered Not Printed

On motion of Senator Owen and by unanimous consent S. B. No. 481 was ordered not printed.

House Bill 594 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 594, A bill to be entitled "An Act concerning clerks of the Courts of Civil Appeals, amending Article 1827, Revised Civil Statutes of Texas, 1925, providing that such clerks may reside anywhere within the district of the Court, and the appointment of the clerk during vacation shall be made by the Chief Justice of the Court, and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill 594, Section 1, by striking out the third sentence in the second paragraph thereof and inserting in lieu thereof the following:

"The Chief Justice and one Associate Justice of each Court shall make such appointment, and each appointment shall be noted in the minutes of the Court."

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 594 on Third Reading

Senator Lock moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 594 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Fly

Absent—Excused

Herring	Roberts
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Rogers
Lock	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood
Phillips	

Absent

Fly

Absent—Excused

Herring	Roberts
Martin	

House Bill 186 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 186, A bill to be entitled "An Act amending subdivisions (a) and (b) of Article II of Chapter 467, Acts of the Second Called Session of the 44th Legislature, as amended by Senate Bill 117, Acts of the 48th Legislature, Regular Session, 1943, Chapter 325, codified in Vernon's as Article 667-6, Vernon's Penal Code, so as to require a person desiring to be licensed to manufacture, distribute, or sell beer to publish in newspapers notice of his application; making other provisions relating thereto; providing a repealing clause; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following committee amendment to the bill:

Amend House Bill 186 by striking out subsection 1(b) and substituting in lieu thereof the following:

(b)(1) Upon the filing of an original application for license to manufacture or distribute beer, the County Clerk shall give notice thereof by posting at the Courthouse door, a written notice of the filing of such application, which notice shall contain the substance of said application and the date of the hearing thereon.

(b)(2) Upon the filing of an original application for a license to sell beer at retail at a location heretofore

licensed, the County Clerk shall give notice thereof by posting at the Courthouse door, a written notice of the filing of such application, which notice shall contain the substance of said application and the date of the hearing thereon.

However, upon the filing of an original application for a license to sell beer at retail at a location not heretofore licensed, the County Clerk shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which the applicant's place of business is to be located. Provided, however, that where no newspaper is published in the city or town, then the same shall be published in a newspaper of general circulation in the county where applicant's business is to be located, and if no newspaper is published in the county, then notice shall be published in a newspaper which is published in the closest neighboring county and circulated in the county where the license or permit is sought. Such notice shall be published in ten (10) point black face type, and shall set forth the type of retail license or permit to be applied for, the exact location of said business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name, together with all names of owners, and if a corporation, the names and titles of all officers of said corporation. At the time the application is filed with the Clerk, the applicant shall deposit with said Clerk, cost of the publication of two (2) notices, which deposit shall be used in payment of such publication.

(b)(3) Any person shall be permitted to contest the facts stated in any application for a license to distribute, manufacture or sell beer at retail, and the applicants right to secure such license, upon giving security for all costs which may be incurred in such contest should the case be decided in favor of the applicant; provided, however, no officer of a county or incorporated city or town shall be required to give bond for such cost.

The committee amendment was adopted.

Senator Herring offered the following committee amendment to the bill:

Amend House Bill No. 186 by inserting the words "Section 6 of" im-

mediately preceding the words "Article II" in the first line of Section 1 of the body of the bill.

The committee amendment was adopted.

On motion of Senator Moffett and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 186 on Third Reading

Senator Moffett moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Absent

Fly	Weinert
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Absent—Excused

Herring	Roberts
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Hazlewood
Ashley	Hudson
Bracewell	Kazen
Bradshaw	Krueger
Colson	Lane
Fuller	Lock
Gonzalez	Moffett
Hardeman	Moore

Owen	Rogers
Parkhouse	Secrest
Phillips	Smith
Ratliff	Wood
Reagan	

Nays—1

Willis

Absent

Fly	Weinert
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Absent—Excused

Herring	Roberts
Martin	

House Concurrent Resolution 110 on Second Reading

On motion of Senator Fuller and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 110, Suspending Joint Rules to consider H. B. No. 907.

The resolution was read and was adopted.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,

May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. J. R. No. 48, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 89 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 89, A bill to be entitled "An Act relating to dividends and guaranty funds for credit unions; amending Sections 21 and 22 of Chapter 87, Acts of the 33rd Legislature, Regular Session, 1913, as amended (codified as Article 2481 and 2482 of Vernon's Texas Civil Statutes), so as to provide that in

each of the first five fiscal years of the existence of the credit union, twenty percent, and in each of the remaining fiscal years, ten per cent, of the income for such fiscal year which remains after the deduction of expenses shall be credited to a guaranty fund; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 89 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Absent

Fly	Weinert
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Absent—Excused

Herring	Roberts
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Hudson
Ashley	Kazen
Bracewell	Krueger
Bradshaw	Lane
Colson	Lock
Fuller	Moffett
Gonzalez	Moore
Hardeman	Owen
Hazlewood	Parkhouse

Phillips	Secrest
Ratliff	Smith
Reagan	Willis
Rogers	Wood

Absent

Fly	Weinert
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Absent—Excused

Herring	Roberts
Martin	

Senate Bill 437 with House Amendments

Senator Hardeman called S. B. No. 437 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hardeman moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Absent

Fly	Weinert
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Absent—Excused

Herring	Roberts
Martin	

Senate Bill 24 with House Amendments

Senator Willis called S. B. No. 24 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Willis, Lane, Smith, Bracewell and Parkhouse.

Senate Bill 189 with House Amendments

Senator Lock called S. B. No. 189 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lock moved that the Senate concur in the House amendments.

The motion prevailed.

House Resolution on First Reading

The following resolution received from the House was read and was referred to the committee indicated:

H. C. R. No. 107, To the Committee on Jurisprudence.

Senate Bill 425 with House Amendments

Senator Aikin called S. B. No. 425 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. B. No. 155, A bill to be entitled "An Act fixing penalties for the failure to pay losses under life, health, and accident policies issued by general casualty companies, local mutual aid associations, statewide mutual assessment companies, mutual casualty companies, Lloyds organizations, reciprocal exchanges, and corporations operating non-profit hospital service plans under authority of Chapter 20, Texas Insurance Code; providing for attorney fees for the prosecution and collection of such losses; repealing all laws in conflict therewith; and declaring an emergency."

(With amendments.)

H. B. No. 417, A bill to be entitled "An Act amending Section 79 of the Texas Election Code (Article 7.14, Vernon's Texas Election Code) by adding a new subsection authorizing the authority holding an election, in counties where voting machines have been adopted, in its discretion to appoint a special canvassing board to count and make returns on absentee ballots, and prescribing procedures for absentee voting where a special canvassing board is appointed; and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act amending Art. 7047 M of the Revised Civil Statutes of Texas, 1925, by adding Section 11 thereto, so as to provide a fee of 10% of the gross sales of Stock Transfer & Sales Tax Stamps; and declaring an emergency."

H. B. No. 764, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office to enter into an agreement or agreements with the appropriate agency of the Federal Government to contract for a survey of the Texas Gulf Coast line for the purpose of determining the low water contour along said Gulf Coast line; providing that such survey may be based on a traverse delineated from controlled aerial mosaic sheets and contact prints; providing that such mosaic sheets and contact prints shall be official records and archives of the General Land Office; authorizing and directing the Commissioner of the General Land Office to furnish without cost to any governmental agency copies of data on file in, or compiled by, the General Land Office

and to furnish other facilities of his office in matters affecting the determination of boundaries and/or the exploration and development of minerals in submerged areas; providing that field notes, maps, or other documents compiled as a result of survey authorized herein shall be permanent records and archives of the General Land Office; providing that such documents or certified copies thereof shall be admissible in evidence; requiring the Commissioner of the General Land Office to report the results of the survey herein authorized to the Fifty-sixth Legislature; making an appropriation to pay the cost of the State's portion of the survey authorized herein; and declaring an emergency."

S. B. No. 447, A bill to be entitled "A bill limiting the filing fee of candidates in counties of 800,000 or more, to a sum not to exceed 5% of one year's salary, and declaring an emergency."

(With Amendment.)

House has appointed the following Conference Committee on H. B. No. 10: Seeligson, Zbranek, Hughes of Grayson, Spilman, and Slack.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 103 on Second Reading

Senator Aikin asked unanimous consent to suspend the regular order of business and take up H. B. No. 103 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up H. B. No. 103 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Kazen	Reagan

Rogers
Secrest

Smith
Weinert

Nays—3

Hardeman
Herring

Willis

Absent

Hudson

Wood

Absent—Excused

Martin

Roberts

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 103, A bill to be entitled "An Act providing for the allocation of one per cent (1%) of the total Permanent School Fund to the Available School Fund in compliance with Article 7, Section 5 of the Texas Constitution; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 103 by striking out Section 1 and substituting in lieu thereof the following:

Section 1. The State Comptroller of Public Accounts is hereby directed to transfer One Per Cent (1%) of the total value of the Permanent School Fund to the Available School Fund for the support of public schools. Such transfer shall be made between August 15 and August 31 of the fiscal years ending August 31, 1957, August 31, 1958, and August 31, 1959, respectively, provided that the total amount transferred for the three years shall not exceed income from annual delay rentals on oil, gas and other mineral leases accruing to the Permanent School Fund from September 1, 1955, to August 31, 1959.

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Herring, Willis and Hardeman asked to be recorded as voting

"Nay" on the passage of H. B. No. 103 to third reading.

House Bill 103 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood
Lane	

Nays—3

Hardeman	Willis
Herring	

Absent

Weinert

Absent—Excused

Martin	Roberts
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood
Lane	

Nays—3

Hardeman	Willis
Herring	

Absent

Weinert

Absent—Excused

Martin

Roberts

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 244, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 244 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 244 was ordered not printed.

Senate Bill 449 with House Amendments

Senator Herring called S. B. No. 449 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin

Roberts

House Bill 46 on Second Reading

On motion of Senator Secrest and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 46, A bill to be entitled "An Act amending Section 4 of Article II of Chapter 173, Acts of the 47th Legislature, 1941, which is codified as Section 4 of Article 6687b of Vernon's Texas Civil Statutes, by adding thereto Subsection 1a, relating to the issuance of a special license for the operation of a motor scooter or motorized bicycle of five (5) brake horsepower or less; providing severability; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 46 on Third Reading

Senator Secrest moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Willis
Kazen	Wood
Krueger	

Nays—1

Phillips

Absent

Weinert

Absent—Excused

Martin

Roberts

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Wood

Nays—2

Phillips

Willis

Absent

Weinert

Absent—Excused

Martin

Roberts

**Committee Substitute
House Bill 199 on Second Reading**

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 199, A bill to be entitled "An Act amending Article 2833, Revised Civil Statutes of Texas, 1925; providing for stopping payments to the school district from the State of Texas for failing to comply with this provision; prescribing penalties for filing a false report and establishing venue for prosecution therefor;

The bill was read second time and passed to third reading.

**Committee Substitute
House Bill 199 on Third Reading**

Senator Bradshaw moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three

several days be suspended and that C. S. H. B. No. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 521 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 521, A bill to be entitled "An Act amending Article 888 of the Penal Code of Texas, relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 521 by striking out the word "within one (1) hour" in lines 42 and 43 of Section b and

insert in lieu thereof the following "as soon as is practicable"

The amendment was adopted.

On motion of Senator Fly and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 521 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 521 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Joint Resolution 2
on Second Reading

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 2, A joint resolution

"Proposing an amendment to Article III, Section 51a of the Constitution of Texas, so as to increase the limit on the maximum monthly payment to the needy aged persons from State funds and on the total yearly expenditure out of State funds for assistance to needy aged, needy blind, and needy children."

The resolution was read second time.

On motion of Senator Willis and by unanimous consent Committee Amendment No. 1 and Committee Amendment No. 2 were withdrawn.

Senator Willis offered the following amendment to the resolution:

Amend H. J. R. No. 2 by striking out all below the resolving clause and substituting in lieu thereof the following:

"Section 1. That Section 51a of Article III of the Constitution of the State of Texas be amended to read as follows:

'Section 51a. The Legislature shall have the power, by General Laws, to provide, subject to limitations and restrictions herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient for assistance to, and for the payment of assistance to:

'(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any state-supported institution, while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application; provided that the maximum payment per month from state funds shall not be more than Twenty-five Dollars (\$25) per person; and provided further that no payment in excess of Twenty-one Dollars (\$21) shall be paid out of state funds to an individual until and unless such additional amounts are matched by the Federal Government.

'(2) Needy blind persons who are actual bona fide citizens of Texas and are over the age of twenty-one (21) years; provided that no such assistance shall be paid to any inmate of

any state-supported institution, while such inmate, or to any person who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

'(3) Needy children who are actual bona fide citizens of Texas and are under the age of sixteen (16) years; provided that no such assistance shall be paid on account of any child over one (1) year old who has not continuously resided in Texas for one (1) year immediately preceding the application for such assistance, or on account of any child under the age of one (1) year whose mother has not continuously resided in Texas for one (1) year immediately preceding such application.

"The Legislature shall have the authority to accept from the Federal Government of the United States such financial aid for the assistance of the needy aged, needy blind, and needy children as such Government may offer not inconsistent with restrictions herein set forth; provided however, that the amount of such assistance out of state funds to each person assisted shall never exceed the amount so expended out of federal funds; and provided further, that the total amount of money to be expended out of state funds for such assistance to the needy aged, needy blind, and needy children shall never exceed the sum of Forty-seven Million Dollars (\$47,000,000) per year.

"The Legislature shall enact appropriate laws to make lists of the recipients of aid hereunder available for inspection.

"Supplementing legislative appropriations for assistance payments authorized by this section, the following sums are allocated out of the Omnibus Tax Clearance Fund and are appropriated to the State Department of Public Welfare for the period beginning December 1, 1957 and ending August 31, 1959: \$4,900,000 for Old Age Assistance, \$175,000 for Aid to the Blind, and \$525,000 for Aid to Dependent Children. Such allocations and appropriations shall be made available on the basis of equal monthly installments and otherwise shall be subject to the provisions of currently existing laws making allocations and appropriations for these purposes."

"Sec. 2. The foregoing Constitu-

tional Amendment shall be submitted to the qualified electors of Texas at an election to be held throughout the State of Texas on the 5th day of November, 1957, at which election there shall be printed on such ballot the following clauses:

'FOR the Constitutional Amendment increasing the limit on the maximum monthly payments to needy aged persons from state funds from Twenty Dollars (\$20) per month to Twenty-five Dollars (\$25) per month subject to certain conditions for payment in excess of Twenty-one Dollars (\$21) per month and on the total yearly expenditure out of state funds for assistance to needy aged, needy blind, and needy children from Forty-two Million Dollars (\$42,000,000 per year to Forty-seven Million Dollars (\$47,000,000) per year; and allocating and appropriating additional sums, supplementing current legislative appropriations, for payment of assistance grants.

'AGAINST the Constitutional Amendment increasing the limit on the maximum monthly payments to needy aged persons from state funds from Twenty Dollars (\$20) per month to Twenty-five Dollars (\$25) per month subject to certain conditions for payment in excess of Twenty-one Dollars (\$21) per month and on the total yearly expenditure out of state funds for assistance to needy aged, needy blind, and needy children from Forty-two Million Dollars (\$42,000,000 per year to Forty-seven Million Dollars (\$47,000,000) per year; and allocating and appropriating additional sums, supplementing current legislative appropriations, for payment of assistance grants.

"Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published as required by the Constitution and laws of this State."

The amendment was adopted.

Senator Willis offered the following amendment to the resolution:

Amend H. J. R. No. 2 by striking out all above the resolving clause and substituting in lieu thereof the following:

"House Joint Resolution, Proposing an amendment to Article III, Section 51a of the Constitution of Texas, so as to increase the limit on the maximum monthly payment to needy

aged persons from state funds and on the total yearly expenditure out of state funds for assistance to needy aged, needy blind, and needy children; and allocating and appropriating additional sums, supplementing current legislative appropriations, for payment of assistance grants."

The amendment was adopted.

The resolution as amended was passed to third reading.

House Joint Resolution 2 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Kazen	Phillips
Krueger	Ratliff
Lane	Reagan
Lock	Rogers
Moffett	Secrest
Moore	Smith
Owen	Willis
Parkhouse	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

Senate Bill 90 with
House Amendments

Senator Lock called S. B. No. 90 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lock moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

Senate Bill 482 on First Reading

Senator Ashley by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Absent

Weinert

Absent—Excused

Martin Roberts

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Ashley:

S. B. No. 482, A bill to be entitled "An Act appropriating \$25,000.00 to the Lampasas Independent School District for the purpose of repairing or replacing school buildings of the District; and declaring an emergency."

To the Committee on Finance.

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 864, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 864 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 864 was ordered not printed.

**Motion to Place
House Bill 566 on Second Reading**

Senator Owen asked unanimous consent to suspend the regular order of business and take up H. B. No. 576 for consideration at this time.

There was objection.

Senate Resolution 557

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as visitors in the Capitol the Senior Class of West Delta High School of Klondike, Texas, accompanied by their sponsors, Mr. and Mrs. G. C. Doolin; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 764, To the Committee on Counties, Cities and Towns.

Adjournment

On motion of Senator Hardeman the Senate at 5:00 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

SIXTY-EIGHTH DAY

(Thursday, May 16, 1957)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bracewell
Ashley	Bradshaw

Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Lock	Willis
Moffett	Wood

Absent—Excused

Martin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Martin was granted leave of absence for today on account of illness on motion of Senator Aikin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 16, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 907, A bill to be entitled "An Act providing for a resident hunting license, non-resident or alien hunting license, non-resident migratory birds hunting license; providing for a fee for each license created hereunder; providing for exceptions; providing for the form of each license herein created; providing for the issuance of a duplicate license; providing for a fee to the issuing officer of all hunting licenses; providing for a deer tag; providing for the collection, deposition and use of all monies collected because of this Act; providing for exemptions; prohibiting hunting under the license of another; requiring license holders to exhibit their license when requested by proper officer; providing for an effective date of this Act; repealing all laws